

331.608 Military personnel records.

1. The recorder shall maintain a record in which, upon request, the discharge of a veteran shall be recorded without charge.

2. If an official discharge was not issued or if the veteran was killed in action or died in service, the recorder shall record an official certificate, general or special order, letter, or telegram from a competent authority, including letters from the United States department of defense, the United States department of veterans affairs, or other governmental office, which shows the termination of the veteran's service.

3. The recorder shall record without charge the commissions and warrants of veteran officers and noncommissioned officers; orders citing a veteran for bravery and meritorious action; citations and bestowals of medals from the state, federal, or foreign governments; and any other documents needed to perfect a claim.

4. The recorder shall record without charge the discharge or other records of a deceased veteran which are presented on behalf of the deceased veteran by a veterans organization.

5. The recorder shall keep an alphabetical index referring to the name of the veteran whose discharge paper is recorded.

6. Unless otherwise provided by the person who requested the recording of a record under this section, notwithstanding section 22.2, subsection 1, such record shall be confidential and shall not be made available for examination or copying except as follows:

a. To the person who is the subject of the record, to a member of that person's immediate family, or to that person's agent or representative duly authorized in writing.

b. To a person requesting to examine or copy a record when the event that resulted in the record being made occurred more than seventy-five years prior to the request.

c. To a person who is a funeral director licensed pursuant to chapter 156 and who has custody of the body of a deceased veteran.

d. When otherwise ordered by a court of competent jurisdiction.

e. When otherwise required by a department or agency of the federal or state government or a political subdivision. The recorder shall make these records available to the department of veterans affairs. The department of veterans affairs and its employees shall be subject to the same state and federal confidentiality restrictions and requirements that are imposed on the recorder.

7. If a certified copy of a record is required to perfect the claim of a veteran in service or honorably discharged or a claim of a dependent of the veteran, the certified copy shall be furnished by the custodian of the record without charge.

8. If the recorder periodically publishes notice of the services provided to military persons and veterans under this section, the recorder shall pay the cost of the publication in the same manner as other expenses of the recorder's office.

9. As used in this section, "veteran" means a veteran as defined in section 35.1, who enlisted or was inducted from the county, resided at any time in the county, or is buried in the county. For purposes of records maintained for claims filed under chapter 426A, "veteran" also means a veteran as defined in section 426A.11, subsection 4.

[C24, 27, 31, 35, 39, §5173 – 5175; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §335.4 – 335.10; S81, §331.608; 81 Acts, ch 117, §607]

92 Acts, ch 1140, §37; 99 Acts, ch 180, §16; 2001 Acts, ch 44, §10; 2003 Acts, ch 114, §2, 3; 2004 Acts, ch 1149, §4, 5; 2005 Acts, ch 115, §31, 40; 2006 Acts, ch 1031, §5; 2009 Acts, ch 26, §14

Referred to in §22.7, 331.607